



City of  
**HUNTINGTON PARK** California

**ROSANNA M. RAMIREZ**  
CHIEF DEPUTY CITY CLERK

August 2, 2004

Los Angeles County  
Board of Supervisors  
Violet Varona-Lukens, Executive Officer  
Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 383  
Los Angeles, CA 90012

Dear Ms. Varona-Lukens:

At the adjourned regular meeting of the City Council held July 27, 2004, the following enclosed Resolutions were adopted for the November 2, 2004 Huntington Park Special Municipal Election:

1. Resolution No. 2004-46 Calling and Giving Notice of a Special Municipal Election to be held on Tuesday, November 2, 2004 and to be Consolidated with the Statewide General Election on the Same Date and Submitting a Community Safety Enhancement Measure to the Qualified Electors of the City Proposing a Charge for Parks, Street Lighting and Landscaping.
2. Resolution No. 2004-47 Setting Priorities for Filing Written Arguments Regarding a City Measure.

The City is requesting that proposed Ordinance No. 750-NS (Exhibit A to Resolution No. 2004-46) be printed in the Sample Ballot booklet. If you have any questions or need additional information, please contact me at 323-584-6230 or [ramirez@huntingtonpark.org](mailto:ramirez@huntingtonpark.org) Thank you in advance for your assistance.

Sincerely,

Rosanna M. Ramirez  
Chief Deputy City Clerk

RMR/bdlm

Enc. 6550 Miles Avenue, Rm.148 • Huntington Park, CA 90255-4393  
Tel. (323) 584-6230 • Fax (323) 588-4577  
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[www.huntingtonpark.org](http://www.huntingtonpark.org)

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3 RESOLUTION NO. 2004-46

4 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON  
5 PARK CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO  
6 BE HELD ON TUESDAY NOVEMBER 2, 2004 AND TO BE CONSOLIDATED WITH  
7 THE STATEWIDE GENERAL ELECTION ON THE SAME DATE AND  
8 SUBMITTING A COMMUNITY SAFETY ENHANCEMENT MEASURE TO THE  
9 QUALIFIED ELECTORS OF THE CITY PROPOSING A CHARGE FOR PARKS,  
10 STREET LIGHTING AND LANDSCAPING

11 WHEREAS, the City currently levies a annual assessment to finance the  
12 maintenance and operation of street lighting and street landscaping within the City; and

13 WHEREAS, proceeds from that assessment are insufficient to fully fund the  
14 costs of the lighting and landscaping programs; and

15 WHEREAS, the City Council desires to replace the assessment with a charge  
16 that will fully fund the lighting and landscaping programs and pay all or a portion of the  
17 City's park maintenance costs and the costs of future improvements to the City's parks,  
18 street lighting and street landscaping; and

19 WHEREAS, Government Code Section 50075 *et. seq.* authorizes the City to  
20 impose a charge and to collect that charge on the property tax rolls; and

21 WHEREAS, proposed Ordinance No. 750-NS, attached hereto and incorporated  
22 herein by reference as Attachment "A" (the "Ordinance") amends the Municipal Code to  
23 impose such a charge; and

24 WHEREAS, pursuant to Government Code Section 53724 and Election Code  
25 Section 9222, the City Council desires to submit the Ordinance to the qualified electors  
26 of the City; and

27 WHEREAS, the City Council desires to consolidate the election on this issue  
28 with the November 2, 2004 statewide general election and to request that the Los  
Angeles County Registrar of Voters administer the election.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF HUNTINGTON  
PARK DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS  
FOLLOWS:

SECTION 1. The City Council finds and determines that each of the findings set  
forth above are true and correct.



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3 SECTION 2. Pursuant to Government Code Section 53724 and Elections Code  
4 Section 9222, there shall be and there is hereby called and ordered held in the City of  
5 Huntington Park, California, on Tuesday, the 2<sup>nd</sup> day of November, 2004, a special  
6 election for the purposes of submitting the Ordinance to the qualified voters of the City  
7 of Huntington Park (the "Election").

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9 SECTION 3. Pursuant to Government Code Section 53724(a), the City Council  
10 proposes to impose a charge as set forth in Ordinance. The proposed type of charge,  
11 the rate of charge, and the method of charge collection are as set forth in Section 1 of  
12 the Ordinance. As set forth in Section 5 of this Resolution, the proposal will be  
13 presented to the voters on November 2, 2004 at the Election.

14 SECTION 4. Pursuant to Government Code Section 53724(c), the City Council  
15 hereby declares its intent to consolidate the Election with the statewide general election  
16 to be held on November 2, 2004.

17 SECTION 5. Pursuant to Elections Code Section 9222, the City Council hereby  
18 submits the Ordinance to the voters at the Election and orders the following question to  
19 be submitted to the voters at the Election:

Shall Ordinance No. 750-NS be adopted to adopt the Community Safety Enhancement Measure which would repeal the City's street lighting and landscaping assessment and impose in its place an annual charge upon property in the City to fund maintenance and improvement of street landscaping, streetlights and parks and operation of street lights, subject to accountability requirements set forth in that Ordinance?	YES	
	NO	

20 This question requires the approval of two-thirds of those casting votes.

21 SECTION 6. The measure to be submitted to the voters is attached to this  
22 Resolution as Exhibit A and incorporated herein by this reference.

23 SECTION 7. In all particulars not recited in this Resolution, the election shall be  
24 held and conducted as provided by law for holding municipal elections.

25 SECTION 8. Notice of the time and place of holding the election is hereby given,  
26 and the City Clerk is authorized, instructed and directed to give further or additional  
27 notice of the election, in time, form and manner as required by law.  
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2 SECTION 9. Pursuant to California Elections Code Section 9280, the City  
3 Council hereby directs the City Clerk to transmit a copy of the measure to the City  
4 Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to  
5 exceed 500 words in length, showing the effect of the measure on the existing law and  
6 the operation of the measure, and transmit such impartial analysis to the City Clerk  
7 within ten (10) days of the adoption of this Resolution.

8 SECTION 10. The City Clerk is hereby authorized, instructed and directed to  
9 procure and furnish (or cause to be procured and furnished) any and all official ballot  
10 notices, printed matter and all other supplies, equipment and paraphernalia that may be  
11 necessary to prepare and lawfully conduct the Special Election.

12 SECTION 10. The polls for the Special Election shall be open at 7:00 AM on the  
13 day of said election and shall remain open continuously from said time until 8:00 PM of  
14 the same day and shall then be closed, except as provided in Section 14401 of the  
15 Elections Code.

16 SECTION 11. The City Council hereby requests the Los Angeles County  
17 Registrar of Voters to provide all services necessary to conduct the Special Election  
18 and to Conduct and canvass the results of the Special Election.

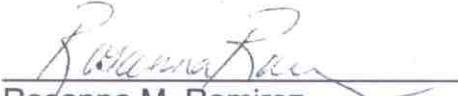
19 SECTION 12. The City shall reimburse the Los Angeles County Registrar of  
20 Voters for services performed at the rate specified per registered voter in the City, when  
21 the work is completed and upon presentation to the city of a properly approved bill.

22 SECTION 13. The City Clerk shall certify to the passage and adoption of this  
23 Resolution and enter it into the book of original Resolutions.

24 PASSED, APPROVED AND ADOPTED this 27<sup>th</sup> day of July 2004.

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26   
27 Juan R. Noguez  
28 Mayor

29 ATTEST:

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31 Rosanna M. Ramirez  
32 Chief Deputy City Clerk



ORDINANCE NO. 750-NS

AN ORDINANCE OF THE CITY OF HUNTINGTON PARK ADDING CHAPTER 10 TO TITLE 3 OF THE HUNTINGTON PARK MUNICIPAL CODE TO ADOPT A COMMUNITY SAFETY ENHANCEMENT MEASURE WHICH WOULD IMPOSE A CHARGE FOR PARKS, STREET LIGHTING AND STREET LANDSCAPING

THE PEOPLE OF THE CITY OF HUNTINGTON PARK DO ORDAIN AS FOLLOWS:

Section 1. Municipal Code Amended A new Chapter 10 of Title 3 of the Huntington Park Municipal Code is hereby adopted to read as follows:

Section 3-10.01 Imposed. Except as otherwise provided in this Chapter, a charge to fund park maintenance and improvement, street landscaping maintenance and improvement and the operation improvement and maintenance of street lighting in the City is hereby imposed in the amounts established by this Chapter on every parcel of land in the City of Huntington Park pursuant to Section 50075 et seq. of the California Government Code. The charge imposed by this Chapter shall be a charge upon each parcel of property, and the charge shall not be measured by the value of the property.

Section 3-10.02 Definitions.

"City Manager" means the City Manager of the City of Huntington Park or his or her designee.

"Fiscal Year" means the period from July 1 of one calendar year to June 30<sup>th</sup> of the next.

"Finance Director" means the Finance Director of the City of Huntington Park or his or her designee or, in the absence of a position entitled Finance Director, that officer or employee of the City designated by the City Manager to enforce this Chapter.

"Improvements" shall have the meaning set forth in Section 105 of the California Revenue and Taxation Code, as that section now exists or may hereafter be amended.

"Parcel" or "Parcel of Real Property" means a parcel of real property having a separate assessor's parcel number as shown on the last equalized county assessment roll or on the State Board of Equalization assessment roll.

"Undeveloped Parcel" means a parcel of real property that has improvements with assessed value of \$10,000 or less according to the records of the County of Los Angeles Assessor.

Section 3-10.03 Amount. The amount to be imposed on each parcel of real property each year pursuant to this Chapter, depending on its use and classification according to the records of the Assessor of the County of Los Angeles, is as follows:

Auto, Recreation/Construction Equipment,	
Sales and Service .....	\$395.50
Banks, Savings & Loans .....	197.74
Bowling Alleys .....	548.20
Cemeteries, Mausoleums, Mortuaries .....	59.56
Churches .....	157.28
Clubs and Lodge Halls .....	314.56
Commercial - Miscellaneous .....	197.74
Department Stores .....	629.14
Five or More Apartment Units .....	342.62
Food Processing Plants .....	431.38
Heavy Manufacturing .....	197.74
Homes for Aged .....	177.52
Hotels and Motels .....	629.14
Industrial - Miscellaneous .....	314.56
Light Manufacturing .....	471.84
Lumber Yards .....	197.74
Mineral Processing .....	157.28
Mobile Home Parks .....	629.14
Office Buildings .....	197.74
Open Storage .....	314.56
Parking Lots (Commercial Use) .....	177.52
Parking Lots (Industrial Use) .....	177.52
Private Schools .....	157.28
Professional Buildings .....	197.74
Residential with Four Units .....	284.22
Residential with Three Units .....	215.70
Residential with Two Units .....	147.18
Restaurants .....	431.38
Rooming Houses .....	401.04
Service Shops .....	197.74
Service Stations .....	314.56
Shopping Ctr. (Neighborhood) .....	431.38
Single-family Residential .....	78.64
Store Combinations .....	314.56
Stores .....	314.56
Supermarkets .....	629.14
Theaters .....	431.38
Utility .....	20.24
Vacant, Unimproved Lots .....	20.24
Warehousing, Distribution, Storage .....	355.04
Water Recreation .....	548.20
Wholesale and Manufacturing Outlets .....	471.84



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2       Section 3-10.04     Classification of Parcels. The records of the Los Angeles  
3 County Assessor as of March 1st of each year shall be used to determine the use and  
4 improvement of each parcel for the calculation of the charge applicable to that parcel in  
the following fiscal year.

5       Section 3-10.05     Exemptions. The following parcels shall be exempt from the  
6 charge imposed by this Chapter:

7       (a)     Parcels owed by the United States or the State of California or any  
8 agency thereof.

9       (b)     Parcels owned by local government agencies.

10       (c)    Parcels exempt from a charge imposed by the City pursuant to  
11 Government Code Section 50075 et seq. under the laws or Constitution of the United  
States or of the State of California.

12       (d)    Parcels classified on the records of the Los Angeles County Assessor as  
13 Single Family Residential that meet the following criteria:

14           1.     at least one record owner of the parcel is either a senior citizen 62 years  
15 of age or older or eligible for the federal Supplemental Security Income program for the  
aged, blind and disabled (42 U.S.C. 1381 et seq.);

16           2.     the record owner who qualifies under subparagraph (1) of this section has  
17 his or her primary residence on the parcel; and,

18           3.     the household of which the record owner who qualifies under  
19 subparagraph (1) of this section is a member is a "very low income household" as that  
term is defined in Health & Safety Code Section 50105, as it now exists or may  
hereafter be amended.

20       (e)    Any person claiming an exemption from the tax imposed by this Chapter  
21 shall file a verified statement of exemption on a form prescribed by the City Manager  
22 prior to June 30th of the first fiscal year for which the exemption is sought.

23       Section 3-10.06     Administrative Determinations; Appeal Procedures. The  
24 Finance Director shall administer this Chapter. Appeals of any determination of the  
25 Finance Director shall be submitted in writing to the City Manager not later than  
26 December 1st of the fiscal year for which the charge is imposed. The City Manager  
shall consider the appeal and issue a decision to the appellant in writing, which shall be  
final.

27       Section 3-10.07     Corrections, Cancellations and Refunds. On order of the  
28 Finance Director, or the City Manager acting upon an appeal, the amount due under  
this Chapter may be corrected for any parcel. The Finance Director shall notify the  
County Assessor or the County Tax Collector, as appropriate, of any such adjustment.

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2       Section 3-10.08    Accountability. The charge imposed pursuant to this  
3 Chapter shall be subject to the following accountability measures:

4       (a)    Proceeds of the charge shall be used only to fund park maintenance and  
5 improvement, street landscaping maintenance and improvement, and the operation  
6 improvement and maintenance of street lighting, and for no other purpose.

7       (b)    Proceeds of the charge shall be maintained in a separate account, the  
8 principal and earnings upon which shall be spent only on the purpose set forth in  
9 subdivision (a) of this Section.

10       (c)    No later than June 30, 2006, and at least annually thereafter, the Finance  
11 Officer shall file a report with the City Council setting forth: (i) The amount of funds  
12 collected and expended and (ii) the status of each project required or authorized to be  
13 funded as set forth in subdivision (a) of this Section.

14       Section 3-10.09    Inflation Adjustment. The charge imposed pursuant to this  
15 Chapter shall be annually increased by 3%. The Finance Director shall annually  
16 recalculate the amounts due under this Chapter and shall give notice of that  
17 determination in the manner required by law for notice of ordinances of the City no later  
18 than July 1 of each Fiscal Year.

19       Section 3-10.10    Collection with Property Taxes. As authorized by  
20 Government Code Section 50077(b), the City shall collect the charge imposed under  
21 this Chapter in the same manner and subject to the same penalty as, or with, taxes  
22 fixed and collected by the County of Los Angeles on behalf of the City pursuant to  
23 Section 3-5.01 of this Code. The County may deduct its reasonable costs incurred for  
24 collection services before remitting the balance of proceeds of the charge to the City.  
25 The first annual levy of the charge shall be collected in Fiscal Year 2005-06.

26       Section 3-10.11    Replacement of Assessment. No special assessment shall  
27 be levied for the purposes set forth in Section 3-10.08 in any Fiscal Year during which  
28 the charge imposed by this Chapter is collected.

29       Section 2. Amendment or Repeal. Chapter 10 of Title 3 of the Huntington Park  
30 Municipal Code may be repealed or amended by the City Council without a vote of the  
31 people except as follows: as required by Propositions 62 and 218, any amendment to  
32 Section 3-10.03 that increases the amount or rate of the charge beyond the levels  
33 authorized by this Ordinance may not take effect unless approved by a vote of the  
34 people.

35       Section 3. Effective Date. The provisions of this Ordinance shall become  
36 effective immediately upon adoption by the people of the City of Huntington Park.  
37 However, the first annual installment of the charge shall not be due or imposed until  
38 Fiscal Year 2005-06, beginning July 1, 2005, to be collected along with the *ad valorem*  
property tax for that year.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, or



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2 portion of this Ordinance is for any reason held to be invalid or unenforceable by a  
3 court of competent jurisdiction, the remaining portions of this Ordinance shall  
4 nonetheless remain in full force and effect. The people hereby declares that they would  
5 have adopted each section, subsection, sentence, clause, phrase, or portion of this  
6 Ordinance, irrespective of the fact that any one or more sections, subsections,  
7 sentences, clauses, phrases, or portions of this Ordinance be declared invalid or  
8 unenforceable.

9 Section 5. Execution. The Mayor is hereby authorized to attest to the adoption  
10 of this Ordinance by the voters of the City by signing where indicated below.

11 I hereby certify that the foregoing Ordinance was PASSED, APPROVED and  
12 ADOPTED by the people of the City of Huntington Park voting on the 2<sup>nd</sup> day of  
13 November 2004.

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Juan R. Noguez  
Mayor

ATTEST:

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Elba Romo  
City Clerk

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3 ATTEST:

4 STATE OF CALIFORNIA )  
5 COUNTY OF LOS ANGELES ) SS  
6 CITY OF HUNTINGTON PARK)


7 I, Rosanna M. Ramirez, Chief Deputy City Clerk of the City of Huntington Park,  
8 California, do hereby certify that the whole number of members of the City Council of said City is  
9 five; that the foregoing Resolution, being Resolution No. 2004-46, was duly passed and adopted by  
10 the City Council of the City of Huntington Park, approved and signed by the Mayor of said City,  
11 and attested to by the Chief Deputy City Clerk of said City, all at an adjourned regular meeting of  
12 the City Council held on the 27th day of July, 2004, and that the same was so passed and adopted  
13 by the following vote, to wit:

14 AYES: Council Members - Escareño, Hernandez, Gomez, Loya, Noguez

15 NOES: Council Members - None

16 ABSENT: Council Members - None

17 ABSTAIN: Council Members - None  
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22 Chief Deputy City Clerk  
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RESOLUTION NO. 2004-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON  
PARK SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING  
A CITY MEASURE

WHEREAS, a Special Municipal Election is to be held on Tuesday, November 2, 2004 at which the following measure will be submitted to the voters:

Shall Ordinance No. 750-NS be adopted to adopt the Community Safety Enhancement Measure which would repeal the City's street lighting and landscaping assessment and impose in its place an annual charge upon property in the City to fund maintenance of streets, streetlights and parks and upgrading and operation of street lights, subject to accountability requirements set forth in that Ordinance?

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

**SECTION 1.** The City Council hereby authorizes the following Councilmembers to file a written argument in favor of the measure noted above in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted:

Mayor Juan R. Noguez

Vice Mayor Ofelia Hernandez

Council Member Mario Gomez

Council Member Richard V. Loya

Council Member Edward Escareño

**SECTION 2.** The City Council hereby authorizes the following Councilmembers to file a written argument against the measure noted above in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted:

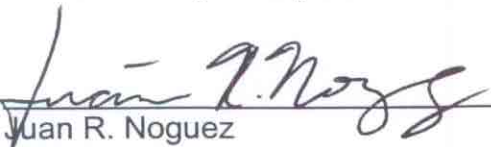
None

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4 **SECTION 3.** The City Clerk is hereby directed to file a certified copy of this  
5 resolution with the Board of Supervisors and the Registrar of Voters of the County of  
6 Los Angeles.

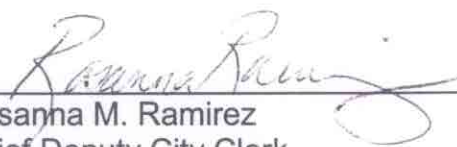
7 **SECTION 4.** The City Council finds that, pursuant to the California  
8 Environmental Quality Act (CEQA) Guidelines Section 15060(c)(2) and 15378(b)(3),  
9 this action does not constitute a project under CEQA and therefore review under  
10 CEQA is not required.

11 **SECTION 5.** If any portion of this Resolution is declared invalid by a court of  
12 competent jurisdiction, then it is the intent of the City Council that all other portions of  
13 the Resolution shall be severed and remain in full force and effect.

14 PASSED, APPROVED AND ADOPTED this 27<sup>th</sup> day of July 2004.

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18 Juan R. Noguez  
19 Mayor

20 ATTEST:

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22 Rosanna M. Ramirez  
23 Chief Deputy City Clerk  
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3 ATTEST:

4 STATE OF CALIFORNIA )  
5 COUNTY OF LOS ANGELES ) SS  
6 CITY OF HUNTINGTON PARK)


7 I, Rosanna M. Ramirez, Chief Deputy City Clerk of the City of Huntington Park,  
8 California, do hereby certify that the whole number of members of the City Council of said City is  
9 five; that the foregoing Resolution, being Resolution No. 2004-47, was duly passed and adopted by  
10 the City Council of the City of Huntington Park, approved and signed by the Mayor of said City,  
11 and attested to by the Chief Deputy City Clerk of said City, all at an adjourned regular meeting of  
12 the City Council held on the 27th day of July, 2004, and that the same was so passed and adopted  
13 by the following vote, to wit:

14 AYES: Council Members - Escareño, Hernandez, Gomez, Loya, Noguez

15 NOES: Council Members - None

16 ABSENT: Council Members - None

17 ABSTAIN: Council Members - None  
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22 Chief Deputy City Clerk  
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